

MESSAGE NO: 6170207 MESSAGE DATE: 06/19/2006
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-580-836

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2004 TO 01/31/2005

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: PARTIAL RESCISSION OF THE ADMIN REV OF THE AD ORDER ON CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE FROM KOREA (A-580-836)KOREA IRON & STEEL (KISCO),UNION STEEL(USMC)

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PERIOD COVERED: 02 01 2004 TO 01 31 2005

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: PARTIAL RESCISSION OF THE ADMIN REV OF THE AD ORDER ON CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE FROM KOREA (A-580-836)KOREA IRON & STEEL (KISCO),UNION STEEL(USMC)

1. THE DEPARTMENT OF COMMERCE HAS RESCINDED THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN CUT-TO-LENGTH CARBON QUALITY STEEL PLATE FROM THE REPUBLIC OF KOREA (A-580-836),

COVERING THE PERIOD 02/01/2004 THROUGH 01/31/2005, WITH RESPECT TO KOREA IRON & STEEL CO., LTD. (KISCO) AND UNION STEEL MANUFACTURING CO. (USMC). THIS ADMINISTRATIVE REVIEW WAS

RESCINDED BECAUSE, CONSISTENT WITH THE COMPANIES' CLAIMS, THERE

IS NO EVIDENCE THAT KISCO OR USMC EXPORTED TO THE UNITED STATES CERTAIN CUT-TO-LENGTH CARBON QUALITY STEEL PLATE THAT WAS ENTERED FOR CONSUMPTION DURING THE PERIOD 02/01/2004 THROUGH 01/31/2005. THE NOTICE OF PARTIAL RESCISSION WAS PUBLISHED IN THE FEDERAL REGISTER ON 11/07/2005 (70 FR 67428).

2. HOWEVER, CERTAIN CUT-TO-LENGTH CARBON QUALITY STEEL PLATE PRODUCED BY KISCO OR USMC MAY HAVE BEEN EXPORTED TO THE UNITED STATES BY INTERMEDIARY COMPANIES (E.G., RESELLERS OR TRADING COMPANIES) AND ENTERED FOR CONSUMPTION DURING THE PERIOD 02/01/2004 THROUGH 01/31/2005. THEREFORE, FOR ALL SHIPMENTS OF CERTAIN CUT-TO-LENGTH CARBON QUALITY STEEL PLATE PRODUCED BY KISCO OR USMC, EXPORTED BY A FIRM OTHER THAN KISCO OR USMC, ENTERED UNDER CASE NUMBER A-580-836-000, AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 02/01/2004 THROUGH 01/31/2005, ASSESS ANTIDUMPING DUTIES AT THE "ALL OTHERS" RATE IN EFFECT ON THE DATE OF ENTRY. THE "ALL OTHERS" RATE IS 0.98 PERCENT WHICH IS THE "ALL OTHERS" RATE

ESTABLISHED IN THE LESS THAN FAIR VALUE INVESTIGATION, ADJUSTED FOR THE EXPORT SUBSIDY RATE IN THE COMPANION COUNTERVAILING DUTY INVESTIGATION.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION FOR SUBJECT MERCHANDISE FROM THE EXPORTERS/MANUFACTURERS IDENTIFIED

ABOVE THAT ENTERED DURING THE PERIOD 02/01/2004 THROUGH 01/31/2005 OCCURRED WITH THE PUBLICATION OF THE PARTIAL RESCISSION NOTICE ON 11/07/2005 (70 FR 67428). FOR ALL OTHER SHIPMENTS OF CERTAIN CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE FROM THE REPUBLIC OF KOREA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION (CBP) ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930.

SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS AND

ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O4: MAB).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party